



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

WILLIAMS, MORGAN & AMERSON  
10333 RICHMOND, SUITE 1100  
HOUSTON TX 77042

**COPY MAILED**

**SEP 15 2006**

**OFFICE OF PETITIONS**

In re Application of  
LEE *et al*  
Application No.: 09/823,793  
Filing Date: March 30, 2001  
Docket No.: 2100.004900  
For: FOVEATION-BASED ERROR  
RESILIENCE ALGORITHM

**DECISION ON  
RENEWED PETITION  
UNDER 37 CFR 1.137(b)**

This is a decision on the papers filed 12 June 2006 which are treated as a renewed petition under 1.137(b) and hereby **GRANTED**.

The above-identified application became abandoned for failure to file a timely and proper reply to the Final Office Action mailed March 2, 2005.

The original petition filed November 14, 2005 was dismissed in a decision mailed May 23, 2006 because applicants did not provide the required reply. The proper reply to a Final Office action is an amendment placing the application in *prima facie* condition for allowance, a Notice of Appeal accompanied by the requisite fee, a Request for Continued Examination (RCE) accompanied by a proper submission, or a continuing application. The examiner determined that the amendment filed with the petition did not place the case in *prima facie* condition for allowance.

In the renewed petition, applicants submitted a proper response to the Office Action (in this case, the filing of a RCE), paid the petition fee and made the required statement of unintentional delay. No terminal disclaimer is required. Accordingly, all requirements of 37 CFR 1.137(b) have been satisfied.

This application is being forwarded to the examiner for continued processing.

James Thomson  
Attorney Advisor  
Office of PCT Legal Administration

Tel: 571-272-3302